

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
APRIL 2, 2015, 5:00 P.M.  
CITY COUNCIL CHAMBERS**

**PRESENT:**

**Mayor Jon Pike  
Councilmember Gil Almquist  
Councilmember Jimmie Hughes  
Councilmember Michele Randall  
Councilmember Joe Bowcutt  
City Manager Gary Esplin  
City Attorney City Attorney Shawn Guzman  
City Recorder Christina Fernandez**

**EXCUSED:**

**Councilmember Arial**

**OPENING:**

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Randall and the invocation was offered by Reverend Jimi Kestin.

Mayor Pike mentioned the Art Around the Corner Gala that took place last Friday evening as well as the 36<sup>th</sup> annual Arts Festival that will take place this weekend. He then read a proclamation proclaiming the second week of May as Youth Week.

Tim Murray with the Elks Lodge explained that they promote youth in the community. At their awards banquet on May 4, 2015, they will award over \$100,000 in scholarships.

Alisha Tolaman with the Arts Commission explained that once a year they present an Excellence in the Arts awards to recipients that have provided outstanding achievement and service in the arts. Two awards will be presented tonight.

Deborah Reeder introduced Roland Lee, one of tonight's recipients.

Mr. Lee presented a PowerPoint presentation depicting his history in the arts community.

Mayor Pike and Ms. Tolaman presented Mr. Lee with his award.

Ms. Tolaman presented a video depicting award recipient Harold Putnam's contribution to the arts community.

Mayor Pike and Ms. Tolaman presented Mr. Putnam with his award.

City Manager Gary Esplin advised that item 6C will not be heard as the dance will be moved to Dixie State University.

**COMMENTS FROM THE PUBLIC:**

Mayor Pike advised that three forms have been received. A gentleman in the audience mentioned that he was unaware that a form needed to be filled out. Two forms were filled out for the same subject; therefore, Mayor Pike gave them a combined time of five minutes.

Corinne Nyman, resident, asked the Council to enact an ordinance to address the problem of puppy mills in the community. She read a letter she wrote to the Councilmembers which is included in the agenda packet.

Mr. Wasburd, resident, encouraged the Council to look at the City of San Diego ordinance that Ms. Nyman provided to them prior to the meeting.

Mayor Pike stated that he will have staff review the ordinance as well as research what other cities may have done.

Tom and Dorothy Heers, owners of the Cliffside Restaurant and Inn on the Cliff Hotel, thanked the Council for the wonderful experience redoing the business. They have been in the business for years and have never had the good experience as they had here. The process was not easy, but it was done right.

Neil Cole, resident, explained that he walks almost every day. He uses the Halfway Wash Trail which was damaged over a year ago. He asked that it be improved.

Leisure Services Director Kent Perkins stated that there are funds proposed in the new budget to repair this trail. He asked Mr. Cole's for his phone number so that he can keep him informed of the progress.

**PUBLIC HEARING/ROAD VACATION/ORDINANCE:**

**Public hearing to consider vacating a portion of 1200 North Street at approximately 1900 East Street. James Sullivan, applicant.**

Planning and Zoning Manager John Willis advised that the purpose of this road vacation is to fix a jog in the road that was created with the recording of 1900 East Street and Forest Park Phase 3 final plats. When the street was dedicated it was stubbed to the adjacent property. The developer then came in and aligned the street differently.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

**MOTION:** A motion was made by Councilmember Almquist to approve the vacation of a portion of 1200 North Street at approximately 1900 East Street.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**STREET CLOSURE:**

**Consider approval of a request to close 200 South between 500 East and 600 East for a block party event on April 11, 2015. Aaron Olsen, applicant.**

City Manager Gary Esplin stated that staff supports these types of events. He does not see any issues with this request.

**MOTION:** A motion was made by Councilmember Hughes to approve the closure for the block party on 200 South between 500 and 600 East and to waive the special event permit fee.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**SPECIAL EVENT PERMIT FEE WAIVER:**

**Consider approval of a request for a special event permit fee waiver and to hold a youth dance at the Main Street Plaza Parking Garage. Melany Carroll, applicant.**

Falon Jones and Gabriel Weese with the Youth City Council explained that they are trying to bring the community together. They plan to hold a dance at the Main Street Plaza Parking Garage and have obtained approval from garage management. In terms of security, they have been in contact with Captain Staley. The budget was approved by Steve Bingham and flyers have been distributed at local high schools. They invited the Councilmembers to the dance which will take place on April 25, 2015.

**MOTION:** A motion was made by Councilmember Randall to approve the special event permit fee waiver for the youth dance at the Main Street Plaza Parking Garage on April 25<sup>th</sup>.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**LOCAL CONSENT ON PREMISE BANQUET LIQUOR LICENSE:**

**Consider approval of a local consent for an on premise banquet liquor license. Lesli Walker, applicant.**

City Manager Gary Esplin explained that a license was issued previously in Ms. Walker's husband's name. Since he has passed away, a new license has to be obtained. Distance requirements have been waived in the past.

**MOTION:** A motion was made by Councilmember Hughes to approve the local consent for the on premise liquor license for Heritage Catering and waive the requirement that they be 500 feet from Confluence Park.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**SPECIAL EVENT:**

**Consider approval of a request for City support and to hold the George Streetfest on Main event on Main Street that will be held on the first Friday of each month in 2015. Melynda Thorpe, applicant.**

City Manager Gary Esplin explained that the next three items are linked together. Item 6G will not need to be heard if the other two items are approved.

Nicki Richards explained that they are requesting final approval for the George First Friday Streetfest. She turned the time over to applicant Melynda Thorpe.

Ms. Thorpe explained that they have been discussing this event for the past few months. The event was designed to build economy for local artists, to bring benefit to downtown businesses, to build culture for downtown and to provide opportunity for community leaders, citizens and visitors to gather, dance and celebrate. They will seek sponsors to see that the event is successful. She provided and reviewed the event plan.

Mayor Pike commented that the event looks like a lot of fun.

Councilmember Almquist inquired about the stage. He mentioned a call he received from a gentleman who purchased a professional stage that he will rent out for events.

Ms. Thorpe commented that they would like to use the City's stage for the first six months. Their goal is to become a self sustaining event within the first year. She requested that the City treat them as a business so that they can have a one year license rather than paying the \$500 fee each month.

City Manager Gary Esplin stated there have been similar requests in the past. He mentioned that there would not be a special event fee since the City will be a sponsor. Additionally, he mentioned that the applicant is asking for \$2,000 per event. They have secured a \$10,000 grant from the County Convention and Visitor's Bureau.

Business License Specialist Shiloh Kirkland asked that the applicant not be required to come before Council each time to approve the local consent. She asked that the local consent be submitted to Mayor Pike for approval.

**MOTION:** A motion was made by Councilmember Randall to approve the request for City support and to hold the George Streetfest on Main on the first Friday of each month in 2015, starting on June 5<sup>th</sup>.

**SECOND:** The motion was seconded by Councilmember Almquist.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye

Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**LOCAL CONSENT SINGLE EVENT PERMIT:**

**Consider approval of a local consent for a single event permit. Melynda Thorpe, applicant.**

City Manager Gary Esplin advised this is to authorize the local consent as an annual recurring event so that they only have one fee.

**MOTION:** A motion was made by Councilmember Hughes to approve the local consent permit for the Jazz Garden and to make it an annual permit.  
**SECOND:** The motion was seconded by Councilmember Almquist.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**SPECIAL EVENT:**

**Consider approval of a request to hold the Jazz Garden event at Ancestor Square. Melynda Thorpe, applicant.**

City Manager Gary Esplin advised that he does not believe this item needs to be approved separately.

**SET PUBLIC HEARING:**

John Willis advised that at its meeting on March 24, 2015, the Planning Commission recommended setting public hearings on April 16, 2015 to consider a zone change amendment to construct an approximately 20,000 square foot building on property zoned PD-C to accommodate the future development of a Mercedes-Benz Auto Dealership. The property is located at 1792 South Blackridge Drive, 302 and 288 West Hilton Drive.

City Manager Gary Esplin stepped out.

Councilmember Bowcutt stepped out

**MOTION:** A motion was made by Councilmember Randall to set the public hearing for April 16, 2015 for the zone change amendment to construct the Mercedes-Benz dealership.  
**SECOND:** The motion was seconded by Councilmember Almquist.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye

The vote was unanimous and the motion carried.

**LOT SPLIT:**

Planning and Zoning Manager John Willis presented the request for a lot split for an LDS Church parcel located at 820 North Valley View Drive. Zoning is R-1-10. The purpose of the lot split is so that the church and vacant lot be separate parcels. Planning Commission recommends approval.

**MOTION:** A motion was made by Councilmember Hughes to approve the lot split for the property located at 820 North Valley View Drive.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

The vote was unanimous and the motion carried.

Councilmember Bowcutt returned.

**LOT SPLIT:**

Planning and Zoning Manager John Willis presented the request for a lot split for a parcel located north of Middleton Drive between 1700 East and Cottonwood Springs Road, zoning is R-1-10 and Open Space. He explained that a portion of the property is a hillside. The applicant is requesting to split the hillside from the portions that can be developed. Planning Commission recommends approval.

**MOTION:** A motion was made by Councilmember Hughes to approve the lot split for property located north of Middleton Drive between 1700 East and Cottonwood Springs Road.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Planning and Zoning Manager John Willis presented the preliminary plat for Whiterocks at the Ledges Phase 2, a 3-lot residential subdivision located at Canyon Tree Drive; zoning is PD-R. Planning Commission recommends approval.

**MOTION:** A motion was made by Councilmember Hughes to approve the preliminary plat for Whiterocks at the Ledges Phase 2.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Planning and Zoning Manager John Willis presented the preliminary plat for Riverside Business Park, a 3-lot commercial subdivision located at 359 and 377 East Riverside Drive; zoning is C-3. The applicant has requested to divide each of the three existing buildings. Each of them meets the minimum parking lot requirements. Currently, the landscaping is nonconforming; however, City code allows for the Council to allow for the nonconforming use to continue if they are modifying. He read that section of the code. The applicant is requesting to maintain the existing landscaping on the side. Along the frontage there is 7' of landscaping; however, it should be 15'. Planning Commission recommends approval of the preliminary plat or the continuation of the nonconforming landscaping with the following findings: 1) The proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure; and 2) That the negative impact of the nonconformity is not increased.

City Manager Gary Esplin returned.

Councilmember Almquist commented that he does not see an issue with allowing them to have the original landscaping that was approved at that time; however, they should raise it up to the original standard. He does not believe they should be required to put in grass.

Councilmember Bowcutt explained that the Planning Commission discussed changing the landscaping and parking. If the landscaping is changed the parking requirement would not be met. They felt the priority was parking.

Councilmember Almquist stated that the dead trees should be replaced so that they meet the minimum spacing. The original plan showed grass along the entire frontage; however, he believes gravel and shrubs would be okay if the Parks Department agrees.

City Manager Gary Esplin clarified that if the Council allows the present planner strip to stay the same width as it is, they would require covering the 7' planner with shrubs or what is required under the current approvals, as well as, replacing the trees.

**MOTION:** A motion was made by Councilmember Almquist to approve the preliminary plat for Riverside Business Park located at 359 and 377 East Riverside Drive as presented with the requirements for the waiver of any additional landscaping, but bringing what is there up to standard as well as spacing and replacing the street trees that have died.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit to extend an existing sales lot for automobiles on property located at 148 West St. George Boulevard. Ron Caplin, applicant.**

Planning and Zoning Manager John Willis presented the request for a conditional use permit to expand an existing car lot to the adjacent lot. The applicant is also requesting to maintain the nonconforming landscaping. He showed a map of the current location and the proposed expansion site. The code requires 15' of landscaping; however they currently have approximately 5'. The code and standards for a car lot does require compliance with the landscaping codes when dealing specifically with the lots. City code allows for this as long as the change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure; and that the negative impact of the nonconformity is not increased. Planning Commission recommends approval with the conditions and findings as outlined in the agenda packet. He reviewed the standards in City code regarding CUPs and showed additional pictures of the site.

City Manager Gary Esplin commented on the letters received in opposition. He agrees with the letter from Richens Eye Center, which is included in the agenda packet, with regards the intent of the downtown area; however, for this particular location, it is best to join the two parcels on either side with the recommendations of the Planning Commission.

City Attorney Shawn Guzman clarified that when referring to the existing businesses, City Manager Gary Esplin was talking about the existing adjacent car lot. Any other requirements regarding signage and customer parking would be treated as one piece. The condition for this use as a used car lot only goes with the adjacent car lot because it meets requirements.

Councilmember Almquist asked about if the parcels will remain separate for tax purposes. He explained that he is asking this because the frontage may have landscaping maintained separately from the larger piece.

Ron Caplin, applicant, explained that the pictures are old. They will put in additional landscaping and will maintain it. The property is land locked with no access if not approved.

City Manager Gary Esplin commented that the same owner owns all three parcels. They cannot be used as a car lot independent of the other three.

Mayor Pike mentioned one of the letters received which talks about parking on the street. They hope that this expansion will resolve the issue.

Mr. Caplin stated that customers park on the street from time to time. The City has striped diagonal parking across the street which should help. Additionally, they have added extra parking this last year. They have nine employees and sub-lease the service department with four employees. The employees park on the street as they do not have employee parking. He can designate specific parking spaces if that is a concern.

City Manager Gary Esplin advised that the intent of the ordinance is to have adequate parking, not counting the street parking. The second business should have its own parking.

Mr. Caplin commented that they do not allow their service department employees to park cars across the street; he will police that.

City Attorney Shawn Guzman advised to adopt the findings if approved.

**MOTION:** A motion was made by Councilmember Hughes to approve the conditional use permit for Premiere Car and Truck located at 148 West St. George Boulevard with the conditions and findings as outlined as well as the conditions that the lots cannot be used separately for used car lots without the adjacent business.

**SECOND:** The motion was seconded by Councilmember Almquist.

Councilmember Hughes reiterated to keep the parking off the street.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

#### **AWARD OF BID:**

**Consider award of bid for the annual Reuse Center crushing operation.**

City Manager Gary Esplin advised the Reuse Center enters into a contract annually to crush asphalt and concrete to be environmentally friendly.

Purchasing Manager Connie Hood recommend awarding the bid to Feller Enterprises, the low bidder at \$66,800 for 13 tons of concrete and asphalt.

City Manager Gary Esplin mentioned that departments are fighting to get the rubble.

**MOTION:** A motion was made by Councilmember Almquist to award the bid for the annual Reuse Center crushing operation to Feller Enterprises in the amount of \$66,800 for 13 tons of concrete and asphalt.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the Washington Fields Trail and Drainage Corridor project.**

City Manager Gary Esplin explained that this bid is for the construction of a drainage channel and trail near Washington Fields. The project will take an existing drainage easement, improves it and takes it up to the capacity of the 100 year storm and allows to connect the drainage on the east side of 3000 East. Additionally, it creates an aesthetic amenity for the area south of Mall Drive. The bid was significantly under the engineer's estimate; therefore staff requests going with the extras one of which is a second crossing to the west of the Lins Market complex. Funding for this project is partly out of Drainage Impact Fund and participation from the Flood Authority. The City will have to front the funds as their funds are not available until January. The cost is \$1,592,926 which includes all of the extras, 50% of which will be reimbursed by the Flood Authority. He requests approving the award of bid contingent on securing and execution of the required dedication of the land and agreement with the property owner to facilitate this. The low bidder was Interstate Rock Products and includes optional items; the engineers estimate was over \$2 million. The City will maintain the ditch.

**MOTION:** A motion was made by Councilmember Almquist to approve the bid for Interstate Rock Products to complete the Washington Fields Trail and Drainage Corridor project for \$1,592,926 which includes the three addendum items contingent upon obtaining the agreements from property owners and any easements required to perform such work.  
**SECOND:** The motion was seconded by Councilmember Randall.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the St. James Trailhead project.**

Purchasing Manager Connie Hood advised that the low bidder pulled their bid. The next low bidder was PCI in the amount of \$250,568.73.

Parks Planner Mark Goble explained this phase will have a loop trail with seven acres of turf. The next phase includes a restroom, pavilion and shade trees.

**MOTION:** A motion was made by Councilmember Randall to approve the bid to PCI for the St. James Trailhead project in the amount of \$250,568.73.  
**SECOND:** The motion was seconded by Councilmember Hughes.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the Webb Hill Trailhead project.**

Purchasing Manager Connie Hood recommended awarding the bid to Western Rock Products in the amount of \$81,019.96. The bid includes a shade structure, an information kiosk, landscaping and an irrigation system.

City Manager Gary Esplin explained the local preference bid process. Western Rock Products agreed to match the lowest bid submitted by a contractor from outside the City.

**MOTION:** A motion was made by Councilmember Hughes to award the bid for the Webb Hill Trailhead project to Western Rock Products in the amount of \$81,019.96.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**APPROVAL OF RFP:**

**Consider approval of the RFP for the Silkwood Park Playground project.**

City Manager Gary Esplin advised this request is for playground equipment at Silkwood Park in the Little Valley area. The park was started by the developer and the City added to the park. He mentioned the picture of the playground equipment that is included in the agenda packet.

Parks Planner Mark Goble explained the criteria that was included in the RFP. Sonntag Recreation submitted the best proposal that met all of the criteria.

Purchasing Manager Connie Hood advised the amount is \$99,800.

**MOTION:** A motion was made by Councilmember Randall to award the bid to Sonntag Recreation for the Silkwood Park Playground equipment in the amount of \$99,800.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**PROFESSIONAL SERVICES AGREEMENT:**

**Consider approval of a professional services agreement for the Virgin River South Trail and River Road to Springs Park project.**

City Manager Gary Esplin explained this agreement is for design of the trail phase along 1450 South from the Virgin River Bridge on River Road to the Springs Park. There are two phases to this project. It does not include improvements on the trailhead. Rosenberg was chosen for this project because of their knowledge of the foot plains.

Purchasing Manager Connie Hood advised the amount is \$72,560 for both phases.

**MOTION:** A motion was made by Councilmember Hughes to approve the professional services agreement with Rosenberg Associates for the Virgin River South Trail to Springs Park for \$72,560.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

Mayor Pike called for a short recess.

**ORDINANCE:**

**Consider approval of an ordinance amending Title 9, Chapter 14, Section 6, Illicit Discharges.**

City Manager Gary Esplin explained that staff has been reviewing discharge permits which are required under federal guidelines. He mentioned that the draft ordinance included in the packet outlines the changes. Under federal law, the City is required to implement a storm water management program.

**MOTION:** A motion was made by Councilmember Bowcutt to make the necessary changes to the City's Illicit Discharge ordinance to make it in compliance with the State of Utah storm water permit as outlined in the sample in the packet.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**RESOLUTION/DECLARING INTENT TO CONSIDER A MUNICIPAL BOUNDARY LINE  
ADJUSTMENT:**

**Consider approval of a resolution declaring the intent to consider a municipal boundary adjustment between the City of St. George and Santa Clara City. Kent Frei, applicant.**

City Manager Gary Esplin advised this is a request to change the boundary in the vicinity of Snow Canyon High School, near the hill with the SC logo on it. Originally, the applicant wanted to de-annex some of the property into St. George; however, staff decided that the property would be best developed in Santa Clara.

Planning and Zoning Manager John Willis showed an aerial view of the area, as well as, a map of the proposed boundary line adjustment. Santa Clara City Council approved their resolution on March 25, 2015. The boundary line adjustment will not become effective until each municipality approves an ordinance, after a public hearing.

City Manager Gary Esplin stated that there will be a lot of comments as this project goes forward for development. The property is on a hillside.

**MOTION:** A motion was made by Councilmember Hughes to approve the resolution declaring the intent to adjust the municipal boundary with Santa Clara.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AGREEMENT:**

**Consider approval of an agreement with Dixie Power to relocate and install power improvements in the vicinity of 3000 East and Mall Drive.**

City Manager Gary Esplin advised this item is an agreement with Dixie Power to relocate and install power improvements in the vicinity of 3000 East and Mall Drive. These improvements are necessary in order to install the traffic signal.

City Engineer Jay Sandberg explained there is an existing power box there that will have to be moved for the channel that will be built. The city's cost is \$66,433.59, which covers materials and some of the labor.

**MOTION:** A motion was made by Councilmember Hughes to approve the agreement with Dixie Power to relocate the vault and other improvements at 3000 East and Mall Drive for \$66,433.59.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AGREEMENT:**

**Consider approval of a private sewer collection system transfer agreement with St. George Snow Park Townhomes Association.**

City Manager Gary Esplin explained in the past the HOAs have been maintaining the lines because they were not installed to City standards. A few years ago, the Council adopted a policy that said if the property owners bring the sewer lines up to standard, they would be under the specifications with the public sewer system. If they did that, the City would pay half the cost and maintain the line. Both this item and the next have been reviewed by the Sewer Department.

**MOTION:** A motion was made by Councilmember Hughes to approve the agreement with Snow Park Townhomes for the private sewer collection system transfer in the amount of \$4,110.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AGREEMENT:**

**Consider approval of the Three Palms Condominiums sewer transfer agreement.**

City Manager Gary Esplin explained this project is on 400 East, just north of 700 South.

**MOTION:** A motion was made by Councilmember Randall to approve the agreement with Three Palms Condominiums for the sewer transfer agreement in the amount of \$19,463.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AGREEMENT:**

**Consider approval of an equitable sharing agreement between the Drug Task Force and the DEA and authorize Chief Stratton and Captain Whitehead to sign the agreement.**

City Manager Gary Esplin explained when funds are received from the Drug Task Force and the DEA; there is an agreement between all of the parties involved. This

authorization would allow Police Chief Stratton and Captain Whitehead to sign the agreement.

**MOTION:** A motion was made by Councilmember Randall to approve the equitable sharing agreement between the Drug Task Force and the DEA and authorize Chief Stratton and Captain Whitehead to sign.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**AGREEMENT:**

**Consider approval of the Sand Hollow Wash channel repair and easement agreement.**

City Manager Gary Esplin this is for the Sand Hollow Wash. Once the City receives an easement agreement, the channel will be repaired to handle more water. Last he heard the owner is willing to sign the agreement.

**MOTION:** A motion was made by Councilmember Hughes to approve the Sand Hollow Wash channel repair and easement agreement.

**SECOND:** The motion was seconded by Councilmember Randall.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**PROPERTY EXCHANGE AND DONATION AGREEMENT:**

**Consider approval of property exchange and donation agreement with Quality Properties for property in the Tonaquint area.**

City Manager Gary Esplin advised that the Council previously approved a property transfer with Quality Development for property in the Tonaquint Valley area for property the City has adjacent to the Dixie Center. The reason this is on the agenda tonight is because the appraisal came back higher than what they originally thought the value would be. Quality Development is asking that the City accept a portion of the property as a donation. The City is receiving more value based on the original appraisal.

**MOTION:** A motion was made by Councilmember Hughes to approve the property exchange and donation agreement with Quality Properties.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**SASO LEASE:**

**Consider approval of a SASO sublease with Transwest Aero.**

City Manager Gary Esplin stated that the Council recently approved the SASO lease with Transwest Aero who now proposes to sublease to Aviation Investments. One action would be to approve the sublease and the second would be to approve the lease with Duane Adams. The sublease would be for nine months. As part of the sublease, Transwest Aero would be allowed to use existing parking that is not currently being used.

City Attorney Shawn Guzman advised the sublease needs to be approved subject to approval by the Legal Department as changes need to be made.

Councilmember Almquist referred to exhibit C in the agenda packet; he asked City Attorney Shawn Guzman to explain the rent.

City Attorney Shawn Guzman explained that Transwest Aero negotiates the rate with the entity that is subleasing from them. The City's has its own lease rate. If Aviation Investments were to do something that violates the master lease with Transwest Aero, it is Transwest Aero's lease that is in jeopardy.

City Manager Gary Esplin added that the intent is to have another building to be constructed within eight months. If it does not happen, they can ask for an extension if they wish.

**MOTION:** A motion was made by Councilmember Hughes to approve the SASO sublease with Transwest Aero subject to review by the Legal Department.  
**SECOND:** The motion was seconded by Councilmember Randall.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**SASO LEASE:**

**Consider approval of a SASO lease with Aviation Investments LLC.**

City Attorney Shawn Guzman stated that the basic terms of the agreement are the same as they were in the fall. There are changes that will be made including obtaining a bond to complete the building. All other terms remain the same; however, their attorney is reviewing the agreement and may propose changes.

**MOTION:** A motion was made by Councilmember Randall to approve the SASO lease with Aviation Investments LLC subject to review by the Legal Department.  
**SECOND:** The motion was seconded by Councilmember Almquist.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**SKYWEST LEASE AGREEMENT:**

**Consider approval of a renewal of the SkyWest use and lease agreement.**

City Manager Gary Esplin advised this is for the renewal of the annual lease with SkyWest. There is no change in terms.

City Attorney Shawn Guzman commented that they are leasing a bigger area for another two years.

**MOTION:** A motion was made by Councilmember Almquist to approve the renewal of the SkyWest use and lease agreement as outlined.  
**SECOND:** The motion was seconded by Councilmember Bowcutt.  
**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

Councilmember Almquist asked what the City's relationship is with the TSA. He asked if they pay the Airport Authority.

Airport Manager Rich Stehmeier replied yes.

**RESOLUTION:**

**Consider approval of a resolution authorizing the second amendment to the FBO operating and lease agreement between the City of St. George and Above View, LLC.**

City Manager Gary Esplin stated that Above View would like to expand and build another hanger. In order to do that, the City is amending their agreement to make it feasible to move forward.

City Attorney Shawn Guzman advised this is a lender requirement. Included in the agreement are stipulations if they were to default on their loan, if secured by their property. This second amendment would change the time frame for a lien holder to cure a default from 20 days to 45 days.

**MOTION:** A motion was made by Councilmember Almquist to approve the resolution authorizing the second amendment to the FBO operating and lease agreement between the City of St. George and Above View, LLC.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**RESOLUTION:**

**Consider approval of a resolution of the City of St. George, Utah declaring its official intent to reimburse itself to reimburse itself from the proceeds of Bonds for certain capital expenditures; establishing the maximum principal amount of such expenditures; and authorizing incidental action.**

City Manager Gary Esplin advised this item is a resolution indicating the City's intent to issue bonds in the future for capital expenditures and allow the City to recover any costs spent prior to bonds being issues. These bonds could be for projects under the RAP Tax. The resolution states \$8 million; however, he suggests changing that to \$10 million.

**MOTION:** A motion was made by Councilmember Hughes to approve the resolution declaring the City's official intent to reimburse itself from the proceeds of bonds for certain capital expenditures with the correction of the amount from \$8 to \$10 million.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**APPOINTMENTS:**

Mayor Pike recommended appointing Jeff Mathis, Val Langston and Scott Christensen to the Board of Appeals for three year terms.

City Manager Gary Esplin noted that this board convenes when an individual appeals the decision of the Building Department.

**MOTION:** A motion was made by Councilmember Randall to appoint these gentlemen to the Board of Appeals.

**SECOND:** The motion was seconded by Councilmember Almquist.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**MINUTES:**

**Consider approval of the minutes from the meeting held on February 12, 2015.**

Councilmember Almquist, page 4, line 50 – City Manager Gary Esplin commented on reuse water. It says "there may be a problem with irrigation in Bloomington Hills".

City Manager Gary Esplin explained the intent was to say that with regard to the water situation and the drought; since the St. George Golf Course is operated by irrigation water out of the Virgin River, there may be a problem with that source.

Councilmember Almquist also mentioned page 7 line 31.

Mayor Pike commented that he would like to connect the bike trail in a couple of areas.

**MOTION:** A motion was made by Councilmember Almquist to approve the meetings from the meeting held on February 12, 2015.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

Councilmember Bowcutt commented that Tuesday's Planning Commission will be a long one.

Mayor Pike mentioned that the American Planner's Association is in town. He gave a welcome this morning and noticed that several members of the Planning Commission and staff are attending.

Councilmember Almquist mentioned that the Hillside Committee has connected with PCI's gypsum pit. When it is windy, the area gets a bit of attention. They are keeping the water on the roadway; however when excavating, it is not being watered as much because they need to keep it in a dry state.

Mayor Pike commented that an air quality meeting will take place next month.

Councilmember Almquist also mentioned that the Dinosaur Museum thanks city staff for their efforts.

Councilmember Hughes mentioned the visit they had with the Success Academy who toured City Hall recently.

**ADJOURN TO CLOSED SESSION:**

**MOTION:** A motion was made by Councilmember Almquist to adjourn to a closed session to discuss property and potential litigation items.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

**ADJOURN:**

**MOTION:** A motion was made by Councilmember Almquist to adjourn.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Randall – aye  
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.